

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Applicants note with appreciation the allowance of claims 3-7, 10 and 11 if rewritten in independent form. Accordingly, upon entry of this Amendment, claim 3 has been rewritten and combined with claims 1 and 2 as new claim 14. Similarly, claim 10 has been rewritten and combined with claim 8 as new claim 15. Claims 3 and 10 are therefore canceled, and claims 4 and 11 are amended herein to change their dependency to new claims 14 and 15, respectively. The objection to claim 3 set forth in the Office Action has been addressed in the new claim 14. Claims 1, 2, 8 and 9 have been amended to more clearly recite the invention. The specification has been amended to provide the serial numbers of co-pending applications.

Claims 1, 2, 8, 9, 12 and 13 are rejected as being anticipated under 35 U.S.C. § 102(e) in view of U.S. Patent No. 6,658,062, to Nakatsuyama. The Nakatsuyama patent is directed to a user-demand information and entertainment system using a wide area digital broadcast. The system described in the Nakatsuyama patent broadcasts each user-requested program at a unique predetermined time or times (i.e., repeat broadcasts can be used). The Nakatsuyama patent sends index data to receivers to tell the receivers which channel to tune to and what time to receive the requested content. The present invention does not employ such an index signal, but rather rebroadcasts on-demand files, and configures receivers to track which file segments have not yet been received and to continue to monitor for receipt of those segments until all segments are accounted for and stored. Such monitoring is facilitated by the use of segment headers comprising information such as the total number of segments that make up a file and segment identifiers (e.g., segment numbers) that distinguish the segments in a particular file.

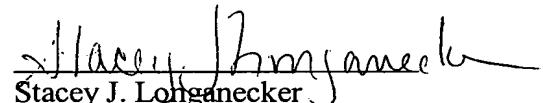
Claims 1, 2, 8 and 9 have been amended to more clearly recite the use of control data or segment information to determine which content segments constitute an on-demand file. Applicants respectfully submit that such segment information is

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more advantageous than the broadcasting of a separate index signal, as disclosed in the Nakatsuyama patent, which merely identifies when a user-requested program is being rebroadcast. The separate index signal does not facilitate determining how much of the user-requested program has already been saved. As described in column 6, lines 22-34 of the Nakatsuyama patent, each subframe corresponding to a particular receiver in the index signal comprises channel and time stamp information to tell that receiver when to tune to the channel to receive the user-requested information. The subframe also has information regarding the total length of the program. The Nakatsuyama patent, however, does not disclose or suggest partitioning user-requested programs, and using information in the index signal to determine how much of the program has been received and saved. Further, the segment information of the claimed invention is not receiver-specific. Accordingly, withdrawal of the 35 U.S.C. § 102(e) rejection of claims 1, 2, 8, 9, 12 and 13 is believed to be proper and is respectfully requested.

In view of the above, it is believed that the application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully Submitted,


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